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Order Filed on April 13, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

Yvette Holmes,

Chapter 13

Case No. 22-10367-VFP

Hearing Date: April 21, 2022 at 8:30 a.m.

Judge: Vincent F. Papalia

**CONSENT ORDER RESOLVING OBJECTION TO PLAN CONFIRMATION AND
ADDRESSING TREATMENT OF SECURED CREDITOR WILMINGTON SAVINGS
FUND SOCIETY, FSB NOT INDIVIDUALLY, BUT SOLELY AS TRUSTEE FOR
RESIDENTIAL MORTGAGE AGGREGATION TRUST'S CLAIM**

The relief set forth on the following pages, number two (2) through three (3) is hereby ORDERED

DATED: April 13, 2022



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Yvette Holmes

Case No.: 22-10367-VFP

Caption of Order: **CONSENT ORDER RESOLVING OBJECTION TO PLAN
CONFIRMATION AND ADDRESSING TREATMENT OF
SECURED CREDITOR WILMINGTON SAVINGS FUND
SOCIETY, FSB NOT INDIVIDUALLY, BUT SOLELY AS
TRUSTEE FOR RESIDENTIAL MORTGAGE
AGGREGATION TRUST'S CLAIM**

The undersigned parties resolved Wilmington Savings Fund Society, FSB not individually, but solely as trustee for Residential Mortgage Aggregation Trust's ("Secured Creditor") Objection to Plan Confirmation, ECF No. 15, and agree to the following treatment of the secured claim, through Yvette Holmes's ("Debtor") Chapter 13 Plan, ECF No. 16 (the "Plan"), with respect to Secured Creditor's lien on the real property located at with respect to real property located at 290 Bergen Street, Newark, NJ 07103 (the "Property"), as follows and have consented to the entry of the within Order;

ORDERED AS FOLLOWS:

1. Debtor shall pay the arrears as set forth in the anticipated proof of claim through Debtor's Chapter 13 Plan pending the sale of the Property.
2. Secured Creditor's Objection to Plan Confirmation, ECF No. 15, is hereby resolved by this Order.
3. Debtor shall docket a motion to approve sale of the Property by December 30, 2022.
4. Debtor shall make adequate protection payments pending the sale of the Property in the amount of \$1,323.39, which were to begin with the payment due February 1, 2022.
5. Debtor is hereby notified and acknowledges that Secured Creditor does not waive any payments previously due if not paid and that the escrow payment is subject to change during the pendency of this case and that she shall adjust adequate protection payment to pay the full payment amount in accordance with any filed payment change notice.
6. In the event the sale of the Property is unsuccessful, Debtor shall amend her plan to provide for cure of the arrears set forth in Secured Creditor's secured claim or to surrender the Property.

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Debtor: Yvette Holmes

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7. In the event Debtor fails to amend the plan in accordance with paragraph 6 above, Secured Creditor will be permitted to file a certification of default seeking stay relief, dismissal or conversion of the case.
8. If Debtor should default and fail to make future post-petition payments to Secured Creditor that come due during the pendency of this case for thirty (30) days from the due date, Secured Creditor's counsel may submit a certification of default, on notice to Debtor and Debtor's counsel, and the Court may enter an Order vacating the automatic stay permitting Secured Creditor to proceed with its action against the Property.
9. In the event the instant Chapter 13 bankruptcy case is dismissed or converted to another chapter under the bankruptcy code prior to Secured Creditor's secured claim being paid in full, the terms of the note and mortgage shall govern.

Consent to Form and Entry

McCalla Raymer Leibert Pierce, LLC
Attorney for the Secured Creditor

By: 

Phillip Raymond

Date: 4.11.2022

Law Office of Michelle Labayen
Attorney for the Debtor

By: 

Michelle Labayen

Date: 4/5/22